



General Assembly

Amendment

February Session, 2004

LCO No. **4588**

SB0058604588SR0

Offered by:

SEN. RORABACK, 30th Dist.

SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. **586**

File No. 658

Cal. No. 273

***"AN ACT CONCERNING THE STATE ETHICS, ELECTIONS
ENFORCEMENT AND FREEDOM OF INFORMATION
COMMISSIONS."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (b) of section 9-333b of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *January 1, 2005*):

6 (b) As used in this chapter, "contribution" does not mean:

7 (1) A loan of money made in the ordinary course of business by a
8 national or state bank;

9 (2) Any communication made by a corporation, organization or
10 association to its members, owners, stockholders, executive or
11 administrative personnel, or their families;

12 (3) Nonpartisan voter registration and get-out-the-vote campaigns
13 by any corporation, organization or association aimed at its members,
14 owners, stockholders, executive or administrative personnel, or their
15 families;

16 (4) Uncompensated services provided by individuals volunteering
17 their time;

18 (5) The use of real or personal property, and the cost of invitations,
19 food or beverages, voluntarily provided by an individual to a
20 candidate or on behalf of a state central or town committee, in
21 rendering voluntary personal services for candidate or party-related
22 activities at the individual's residence, to the extent that the cumulative
23 value of the invitations, food or beverages provided by the individual
24 on behalf of any single candidate does not exceed two hundred dollars
25 with respect to any single election, and on behalf of all state central
26 and town committees does not exceed four hundred dollars in any
27 calendar year;

28 (6) The sale of food or beverage for use in a candidate's campaign or
29 for use by a state central or town committee at a discount, if the charge
30 is not less than the cost to the vendor, to the extent that the cumulative
31 value of the discount given to or on behalf of any single candidate does
32 not exceed two hundred dollars with respect to any single election,
33 and on behalf of all state central and town committees does not exceed
34 four hundred dollars in a calendar year;

35 (7) Any unreimbursed payment for travel expenses made by an
36 individual who on the individual's own behalf volunteers the
37 individual's personal services to any single candidate to the extent the
38 cumulative value does not exceed two hundred dollars with respect to
39 any single election, and on behalf of all state central or town
40 committees does not exceed four hundred dollars in a calendar year;

41 (8) The payment, by a party committee, political committee or an
42 individual, of the costs of preparation, display, mailing or other
43 distribution incurred by the committee or individual with respect to

44 any printed slate card, sample ballot or other printed list containing
45 the names of three or more candidates;

46 (9) The donation of any item of personal property by an individual
47 to a committee for a fund-raising affair, including a tag sale or auction,
48 or the purchase by an individual of any such item at such an affair, to
49 the extent that the cumulative value donated or purchased does not
50 exceed fifty dollars;

51 [(10) The purchase of advertising space which clearly identifies the
52 purchaser, in a program for a fund-raising affair, provided the
53 cumulative purchase of such space does not exceed two hundred fifty
54 dollars from any single candidate or the candidate's committee with
55 respect to any single election campaign or two hundred fifty dollars
56 from any single party committee or other political committee in any
57 calendar year if the purchaser is a business entity or fifty dollars for
58 purchases by any other person;]

59 [(11)] (10) The payment of money by a candidate to the candidate's
60 candidate committee;

61 [(12)] (11) The donation of goods or services by a business entity to a
62 committee for a fund-raising affair, including a tag sale or auction, to
63 the extent that the cumulative value donated does not exceed one
64 hundred dollars;

65 [(13)] (12) The advance of a security deposit by an individual to a
66 telephone company, as defined in section 16-1, as amended, for
67 telecommunications service for a committee, provided the security
68 deposit is refunded to the individual;

69 [(14)] (13) The provision of facilities, equipment, technical and
70 managerial support, and broadcast time by a community antenna
71 television company, as defined in section 16-1, as amended, for
72 community access programming pursuant to section 16-331a, unless
73 (A) the major purpose of providing such facilities, equipment, support
74 and time is to influence the nomination or election of a candidate, or

75 (B) such facilities, equipment, support and time are provided on behalf
76 of a political party; or

77 [(15)] (14) The sale of food or beverage by a town committee to an
78 individual at a town fair, county fair or similar mass gathering held
79 within the state, to the extent that the cumulative payment made by
80 any one individual for such items does not exceed fifty dollars.

81 Sec. 502. Subsection (c) of section 9-333j of the general statutes, as
82 amended by section 4 of public act 03-223 and section 60 of public act
83 03-241, is repealed and the following is substituted in lieu thereof
84 (*Effective January 1, 2005*):

85 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
86 section shall include, but not be limited to: (A) An itemized accounting
87 of each contribution, if any, including the full name and complete
88 address of each contributor and the amount of the contribution; (B) in
89 the case of anonymous contributions, the total amount received and
90 the denomination of the bills; (C) an itemized accounting of each
91 expenditure, if any, including the full name and complete address of
92 each payee, the amount and the purpose of the expenditure, the
93 candidate supported or opposed by the expenditure, whether the
94 expenditure is made independently of the candidate supported or is an
95 in-kind contribution to the candidate, and a statement of the balance
96 on hand or deficit, as the case may be; (D) an itemized accounting of
97 each expense incurred but not paid; (E) the name and address of any
98 person who is the guarantor of a loan to, or the cosigner of a note with,
99 the candidate on whose behalf the committee was formed, or the
100 campaign treasurer in the case of a party committee or a political
101 committee or who has advanced a security deposit to a telephone
102 company, as defined in section 16-1, as amended, for
103 telecommunications service for a committee; [(F) for each business
104 entity or person purchasing advertising space in a program for a fund-
105 raising affair, the name and address of the business entity or the name
106 and address of the person, and the amount and aggregate amounts of
107 such purchases; (G)] (F) for each individual who contributes in excess

108 of one hundred dollars but not more than one thousand dollars, in the
109 aggregate, to the extent known, the principal occupation of such
110 individual and the name of the individual's employer, if any; [(H)] (G)
111 for each individual who contributes in excess of one thousand dollars
112 in the aggregate, the principal occupation of such individual, the name
113 of the individual's employer, if any, and a statement indicating
114 whether the individual or a business with which he is associated has a
115 contract with the state which is valued at more than five thousand
116 dollars; [(I)] (H) for each itemized contribution made by a lobbyist, the
117 spouse of a lobbyist or any dependent child of a lobbyist who resides
118 in the lobbyist's household, a statement to that effect; and [(J)] (I) for
119 each individual who contributes in excess of four hundred dollars in
120 the aggregate to or for the benefit of any candidate's campaign for
121 nomination at a primary or election to the office of chief executive
122 officer of a town, city or borough, a statement indicating whether the
123 individual or a business with which he is associated has a contract
124 with said municipality that is valued at more than five thousand
125 dollars. Each campaign treasurer shall include in such statement (i) an
126 itemized accounting of the receipts and expenditures relative to any
127 testimonial affair held under the provisions of section 9-333k, as
128 amended by this act, or any other fund-raising affair, which is referred
129 to in subsection (b) of section 9-333b, as amended by this act, and (ii)
130 the date, location and a description of the affair.

131 (2) Each contributor described in subparagraph [(G), (H), (I) or (J)]
132 (F), (G), (H) or (I) of subdivision (1) of this subsection shall, at the time
133 the contributor makes such a contribution, provide the information
134 which the campaign treasurer is required to include under said
135 subparagraph in the statement filed under subsection (a), (e) or (f) of
136 this section. Notwithstanding any provision of subdivision (2) of
137 section 9-7b, as amended, any contributor described in subparagraph
138 [(G)] (F) of subdivision (1) of this subsection who does not provide
139 such information at the time the contributor makes such a contribution
140 and any treasurer shall not be subject to the provisions of subdivision
141 (2) of section 9-7b, as amended. If a campaign treasurer receives a

142 contribution from an individual which separately, or in the aggregate,
143 is in excess of one thousand dollars and the contributor has not
144 provided the information required by [said] subparagraph [(H)] (G) of
145 subdivision (1) of this subsection or if a campaign treasurer receives a
146 contribution from an individual to or for the benefit of any candidate's
147 campaign for nomination at a primary or election to the office of chief
148 executive officer of a town, city or borough, which separately, or in the
149 aggregate, is in excess of four hundred dollars and the contributor has
150 not provided the information required by [said] subparagraph [(J)] (I)
151 of subdivision (1) of this subsection, the campaign treasurer: (i) Within
152 three business days after receiving the contribution, shall send a
153 request for such information to the contributor by certified mail, return
154 receipt requested; (ii) shall not deposit the contribution until the
155 campaign treasurer obtains such information from the contributor,
156 notwithstanding the provisions of section 9-333h, as amended; and (iii)
157 shall return the contribution to the contributor if the contributor does
158 not provide the required information within fourteen days after the
159 treasurer's written request or the end of the reporting period in which
160 the contribution was received, whichever is later. Any failure of a
161 contributor to provide the information which the campaign treasurer is
162 required to include under [said] subparagraph [(G) or (I)] (F) or (H) of
163 subdivision (1) of this subsection, which results in noncompliance by
164 the campaign treasurer with the provisions of [said] subparagraph [(G)
165 or (I)] (F) or (H) of subdivision (1) of this subsection, shall be a
166 complete defense to any action against the campaign treasurer for
167 failure to disclose such information.

168 (3) Contributions from a single individual to a campaign treasurer
169 in the aggregate totaling thirty dollars or less need not be individually
170 identified in the statement, but a sum representing the total amount of
171 all such contributions made by all such individuals during the period
172 to be covered by such statement shall be a separate entry, identified
173 only by the words "total contributions from small contributors".

174 (4) Statements filed in accordance with this section shall remain
175 public records of the state for five years from the date such statements

176 are filed.

177 Sec. 503. Subsection (g) of section 9-333l of the general statutes is
178 repealed and the following is substituted in lieu thereof (*Effective*
179 *January 1, 2005*):

180 (g) As used in this subsection, "immediate family" means any
181 spouse or dependent child who resides in a lobbyist's household. Each
182 lobbyist who is an individual and, in conjunction with members of his
183 immediate family, makes contributions to or purchases from
184 committees exceeding one thousand dollars in the aggregate during
185 the twelve-month period beginning July 1, 1993, or July first in any
186 year thereafter, shall file a statement, sworn under penalty of false
187 statement, with the Secretary of the State in accordance with the
188 provisions of section 9-333e, as amended, on the second Thursday in
189 July following the end of such twelve-month period. The statement
190 shall include: (1) The name of each committee to which the lobbyist or
191 a member of his immediate family has made a contribution and the
192 amount and date of each such contribution; and (2) the name of each
193 committee from which the lobbyist or member of his immediate family
194 has purchased any item of property [or advertising space in a
195 program] in connection with a fund-raising event which is not
196 considered a contribution under subsection (b) of section 9-333b, as
197 amended by this act, and the amount, date and description of each
198 such purchase. Each lobbyist who is an individual and who, in
199 conjunction with members of his immediate family, does not make
200 contributions to or purchases from committees exceeding one
201 thousand dollars in the aggregate during any such twelve-month
202 period shall file a statement, sworn under penalty of false statement,
203 with the Secretary of the State in accordance with the provisions of
204 section 9-333e, as amended, on the second Thursday in July, so
205 indicating.

206 Sec. 504. Section 9-333n of the general statutes, as amended by
207 section 14 of public act 03-241, is repealed and the following is
208 substituted in lieu thereof (*Effective January 1, 2005*):

209 (a) No individual shall make a contribution or contributions in any
210 one calendar year in excess of five thousand dollars to the state central
211 committee of any party, or for the benefit of such committee pursuant
212 to its authorization or request; or one thousand dollars to a town
213 committee of any political party, or for the benefit of such committee
214 pursuant to its authorization or request; or one thousand dollars to a
215 political committee other than (1) a political committee formed solely
216 to aid or promote the success or defeat of a referendum question, (2) an
217 exploratory committee, (3) a political committee established by an
218 organization, or for the benefit of such committee pursuant to its
219 authorization or request, or (4) a political committee formed by a slate
220 of candidates in a primary for the office of justice of the peace of the
221 same town.

222 (b) No individual shall make a contribution to a political committee
223 established by an organization which receives its funds from the
224 organization's treasury. With respect to a political committee
225 established by an organization which has complied with the provisions
226 of subsection (b) or (c) of section 9-333p, and has elected to receive
227 contributions, no individual other than a member of the organization
228 may make contributions to the committee, in which case the individual
229 may contribute not more than five hundred dollars in any one calendar
230 year to such committee or for the benefit of such committee pursuant
231 to its authorization or request.

232 (c) In no event may any individual make contributions to a
233 candidate committee and a political committee formed solely to
234 support one candidate other than an exploratory committee or for the
235 benefit of a candidate committee and a political committee formed
236 solely to support one candidate pursuant to the authorization or
237 request of any such committee, in an amount which in the aggregate is
238 in excess of the maximum amount which may be contributed to the
239 candidate.

240 (d) Any individual may make unlimited contributions or
241 expenditures to aid or promote the success or defeat of any

242 referendum question, provided any individual who makes an
243 expenditure or expenditures in excess of one thousand dollars to
244 promote the success or defeat of any referendum question shall file
245 statements according to the same schedule and in the same manner as
246 is required of a campaign treasurer of a political committee under
247 section 9-333j, as amended by this act.

248 (e) Any individual acting alone may, independent of any candidate,
249 agent of the candidate, or committee, make unlimited expenditures to
250 promote the success or defeat of any candidate's campaign for election,
251 or nomination at a primary, to any office or position, provided any
252 individual who makes an independent expenditure or expenditures in
253 excess of one thousand dollars to promote the success or defeat of any
254 candidate's campaign for election, or nomination at a primary, to any
255 such office or position shall file statements according to the same
256 schedule and in the same manner as is required of a campaign
257 treasurer of a candidate committee under section 9-333j, as amended
258 by this act.

259 (f) (1) As used in this subsection and subsection (f) of section 9-333j,
260 as amended by this act, (A) "investment services" means investment
261 legal services, investment banking services, investment advisory
262 services, underwriting services, financial advisory services or
263 brokerage firm services, and (B) "principal of an investment services
264 firm" means (i) an individual who is a director of or has an ownership
265 interest in an investment services firm to which the State Treasurer
266 pays compensation, expenses or fees or issues a contract, except for an
267 individual who owns less than five per cent of the shares of an
268 investment services firm which is a publicly traded corporation, (ii) an
269 individual who is employed by such an investment services firm as
270 president, treasurer, or executive or senior vice president, (iii) an
271 employee of such an investment services firm who has managerial or
272 discretionary responsibilities with respect to any investment services
273 provided to the State Treasurer, (iv) the spouse or a dependent child of
274 an individual described in this subparagraph, or (v) a political
275 committee established by or on behalf of an individual described in

276 this subparagraph.

277 (2) No principal of an investment services firm shall make a
278 contribution to, or solicit contributions on behalf of, an exploratory
279 committee or candidate committee established by a candidate for
280 nomination or election to the office of State Treasurer during the term
281 of office of the State Treasurer who pays compensation, expenses or
282 fees or issues a contract to such firm.

283 (3) Neither the State Treasurer, the Deputy State Treasurer, any
284 unclassified employee of the office of the State Treasurer acting on
285 behalf of the State Treasurer or Deputy State Treasurer, any candidate
286 for the office of State Treasurer, any member of the Investment
287 Advisory Council established under section 3-13b nor any agent of any
288 such candidate may solicit contributions on behalf of an exploratory
289 committee or candidate committee established by a candidate for
290 nomination or election to any public office, a political committee or a
291 party committee, from a principal of an investment services firm,
292 except that the prohibition in this subsection shall not apply to an
293 incumbent State Treasurer who establishes an exploratory committee
294 or candidate committee for any public office other than State
295 Treasurer.

296 (4) No member of the Investment Advisory Council appointed
297 under section 3-13b shall make a contribution to, or solicit
298 contributions on behalf of, an exploratory committee or candidate
299 committee established by a candidate for nomination or election to the
300 office of State Treasurer.

301 (5) The provisions of this subsection shall not restrict an individual
302 from establishing an exploratory or candidate committee for the
303 individual's own campaign or from soliciting contributions for such
304 committees from persons not prohibited from making contributions
305 under this subsection.

306 (6) The State Treasurer shall keep a list of investment services firms
307 described in this subsection. Said list shall be subject to disclosure

308 under the Freedom of Information Act and shall be available to the
309 State Elections Enforcement Commission. Each such investment
310 services firm shall maintain a list of the principals of the investment
311 services firm and shall provide such list to the State Elections
312 Enforcement Commission, upon request of the commission.

313 (g) (1) As used in this subsection, "state officer" means the Governor,
314 Lieutenant Governor, Secretary of the State, Comptroller or Attorney
315 General.

316 (2) If a state officer awards a contract or contracts which, separately
317 or in the aggregate, have a value of one hundred thousand dollars or
318 more to a business, (A) no individual who is an owner, partner,
319 director or officer of said business, or a manager of said business who
320 has substantial policy or decision-making authority concerning the
321 administration of the contract shall make a contribution or
322 contributions in excess of one hundred dollars to, or for the benefit of,
323 said state officer's campaign for nomination at a primary or re-election
324 to the same office or election to any other public office or to an
325 exploratory committee formed by said state officer, and (B) said state
326 officer and the officer's committee or agent shall not solicit
327 contributions, on behalf of the candidate or exploratory committee
328 established by said state officer or the candidate or exploratory
329 committee established by any other candidate for nomination or
330 election to any other public office or on behalf of any political
331 committee or party committee, from (i) any individual who is an
332 owner, officer, director, partner or such a manager of said business, (ii)
333 the spouse of any such individual or a dependent child of any such
334 individual who resides in the individual's household, (iii) a political
335 committee established by said business, or (iv) any individual who is
336 an owner, officer, director or partner of a subcontractor of said
337 business or a manager of said subcontractor who has substantial policy
338 or decision-making authority concerning the administration of the
339 subcontract.

340 (3) Each state officer shall keep a list of (A) businesses to which the

341 state officer has awarded a contract or contracts of one hundred
342 thousand dollars or more, and (B) all subcontractors under said
343 contracts. Said list shall be subject to disclosure under the Freedom of
344 Information Act and shall be available to the State Elections
345 Enforcement Commission. Each contract issued by a state officer shall
346 include the provisions of subparagraph (A) of subdivision (2) of this
347 subsection as a condition of the contract. Each business to which a state
348 officer has awarded a contract or contracts of one hundred thousand
349 dollars or more and each subcontractor under said contract shall
350 maintain a list of such business' or subcontractor's owners, partners,
351 directors, officers and managers with substantial policy or decision-
352 making authority related to the administration of such contracts and
353 shall provide upon request, such list to the State Elections Enforcement
354 Commission, upon request of the commission.

355 (4) For purposes of this subsection, (A) a contract awarded by a
356 department head in the executive branch of state government who is
357 appointed by the Governor shall be deemed to have been awarded by
358 the Governor, and (B) a contract awarded by a board, commission,
359 council or other multi-member authority, for which a majority of the
360 members are appointed by a single state officer, shall be deemed to
361 have been awarded by said state officer.

362 (h) No lobbyist shall make a contribution or contributions to, or for
363 the benefit of, any candidate's campaign for nomination at a primary
364 or election in excess of one hundred dollars. No lobbyist shall make a
365 contribution or contributions in any one calendar year in excess of five
366 hundred dollars to a state central committee, in excess of two hundred
367 fifty dollars to a town committee and in excess of two hundred fifty
368 dollars to a political committee.

369 Sec. 505. Section 9-333t of the general statutes is repealed and the
370 following is substituted in lieu thereof (*Effective January 1, 2005*):

371 (a) [A] No political committee organized for ongoing political
372 activities [may make unlimited contributions to, or for the benefit of, a

373 party committee; any national committee of a political party; a
374 candidate committee; or a committee of a candidate for federal or out-
375 of-state office] shall make a contribution or contributions to, or for the
376 benefit of, any candidate's campaign for nomination at a primary or
377 election to the office of (1) Governor, in excess of ten thousand dollars,
378 (2) Lieutenant Governor, Secretary of the State, State Treasurer, State
379 Comptroller or Attorney General, in excess of seven thousand five
380 hundred dollars, (3) state senator, judge of probate or chief executive
381 officer of a municipality, in excess of five thousand dollars, or (4) state
382 representative or any other office of a municipality not included in
383 subdivision (3) of this subsection, in excess of two thousand five
384 hundred dollars. The limits imposed by this subsection shall apply
385 separately to primaries and elections.

386 (b) No such political committee shall make a contribution or
387 contributions in excess of two thousand dollars to another political
388 committee in any calendar year. [except that a political committee
389 organized by a business entity may make unlimited contributions to,
390 or for the benefit of, another political committee organized by a
391 business entity.] No political committee organized for ongoing
392 political activities shall make a contribution in excess of two hundred
393 fifty dollars to an exploratory committee. If such an ongoing
394 committee is established by an organization or a business entity, its
395 contributions shall be subject to the limits imposed by sections 9-333o
396 to 9-333q, inclusive. A political committee organized for ongoing
397 political activities may make contributions to a charitable organization
398 which is a tax-exempt organization under Section 501(c) (3) of the
399 Internal Revenue Code, as from time to time amended, or make
400 memorial contributions.

401 (c) No political committee organized for ongoing political activities
402 shall make a contribution or contributions in any one calendar year to
403 (1) a state central committee, in excess of ten thousand dollars, or (2) a
404 town committee, in excess of five thousand dollars.

405 [(b)] (d) A political committee organized for ongoing political

406 activities may receive contributions from the federal account of a
407 national committee of a political party, but may not receive
408 contributions from any other account of a national committee of a
409 political party or from a committee of a candidate for federal or out-of-
410 state office.

411 (e) No elected public official or candidate, agent of an elected public
412 official or candidate, or individual acting in consultation with, or at the
413 request or suggestion of any such public official, candidate or agent
414 shall establish, direct or control more than one political committee
415 organized for ongoing political activities. On or after January 1, 2005,
416 the State Elections Enforcement Commission shall establish a
417 procedure, by regulations adopted in accordance with chapter 54, for
418 the identification of such political committees that are established,
419 directed or controlled by an elected public official, candidate or agent
420 of an elected public official or a candidate. No business entity,
421 organization or other group of individuals who are affiliated with such
422 business entity or organization may establish, direct or control more
423 than one political committee for purposes of the limitations on
424 contributions provided in this chapter.

425 Sec. 506. Section 9-333u of the general statutes is repealed and the
426 following is substituted in lieu thereof (*Effective January 1, 2005*):

427 [(a)] A political committee may be established for a single primary
428 or election, [may make unlimited contributions to, or for the benefit of,
429 a party committee or a candidate committee, but no such political
430 committee shall make contributions to a national committee, or a
431 committee of a candidate for federal or out-of-state office. If such a
432 political committee is established by an organization or a business
433 entity, its contributions shall also be subject to the limitations imposed
434 by sections 9-333o to 9-333q, inclusive. No political committee formed
435 for a single election or primary shall, with respect to such election or
436 primary make a contribution or contributions in excess of two
437 thousand dollars to another political committee, provided no such
438 political committee shall make a contribution in excess of two hundred

439 fifty dollars to an exploratory committee] provided such committee
440 shall comply with the limitations on the donation and receipt of
441 contributions that apply to a political committee organized for ongoing
442 political activities in accordance with section 9-333t, as amended by
443 this act, except that if the committee is established by business entity or
444 organization, it shall comply with such limitations as prescribed in
445 sections 9-333o to 9-333q, inclusive, as the case may be.

446 [(b) A political committee established for a single primary or
447 election shall not receive contributions from a committee of a
448 candidate for federal or out-of-state office or from a national
449 committee.]

450 Sec. 507. Subdivision (1) of subsection (e) of section 1-79 of the
451 general statutes is repealed and the following is substituted in lieu
452 thereof (*Effective January 1, 2005*):

453 (1) A political contribution otherwise reported as required by law or
454 a donation or payment as described in subdivision (9) [or (10)] of
455 subsection (b) of section 9-333b, as amended by this act.

456 Sec. 508. Subdivision (1) of subsection (g) of section 1-91 of the
457 general statutes is repealed and the following is substituted in lieu
458 thereof (*Effective January 1, 2005*):

459 (1) A political contribution otherwise reported as required by law or
460 a donation or payment described in subdivision (9) [or (10)] of
461 subsection (b) of section 9-333b, as amended by this act."